IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1237 OF 2004
IN
APPEAL FROM ORDER NO.874 OF 2004

Ambadas N.Warghar & Ors. ... Applicants.

V/s.

Brihanmumbai Mahanagarpalika & Ors. ... Respondents.

Ms. Lucy Massey, advocate for Appellants.
Mr. P.D.Surve, advocate for Respondents.

Coram: Smt.Nishita Mhatre, J.
Dated: 18th October, 2004.

P.C.:

1. The Civil Application has been taken out by the Respondent No.3 to 10 in the Appeal from Order. When the Appeal from Order was admitted, nobody appeared for them despite notice. Ad-interim relief was granted in terms of prayer clause (b) and (c) to the Appellants.

2. Having heard the learned Advocate for some time, I am of the view that rather than keeping Appeal from Order pending, the entire Appeal from Order and the Civil Applications can be disposed of.

3. By consent of the parties, A.O. taken on board and disposed of by the following order :

(i) The Order dated 28th September, 2004 in Notice of Motion No.3838 of 2004 is set aside. There shall be temporary injunction in favour of the Appellants in respect of the Flour Mill being run in Room No.116, 108/8, Bharat Nagar, Near V.P.Stadium, Lotus, Worli, Mumbai 400 018. Notice of Motion to be disposed of as expeditiously as

possible.

. A.O. disposed of accordingly. In view of disposal of the A.O., Civil Applications do not survive. Hence dismissed as such.

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